

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA §
§
v. § CRIMINAL NUMBER: 2:22-cr-805-1
§
AZAEL BARRIENTOS-REGALADO §
§

STIPULATION OF FACT

AZAEL BARRIENTOS-REGALADO, hereinafter referred to as the Defendant, has agreed to stipulate with the United States Attorney for the Southern District of Texas, Alamdar S. Hamdani, through the undersigned Assistant United States Attorney, to the following facts. The parties agree that these facts are sufficient to establish a factual basis for the Defendant's plea, pursuant to Fed. R. Crim. P. 11(b)(3).

I.

The Defendant confesses that, within the Southern District of Texas, on or about March 17, 2022:

1. That two or more persons, directly or indirectly, reached an agreement to possess with intent to distribute a controlled substance;
2. That the defendant knew of the unlawful purpose of the agreement; and
3. That the defendant joined in the agreement willfully, that is, with the intent to further its unlawful purpose;
4. That the overall scope of the conspiracy involved at least 400 grams or more of a mixture or substance containing a detectable amount of Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide), a Schedule II controlled substance.

II.

If this case were to proceed to trial, the United States could prove each element of the offense beyond a reasonable doubt. The following facts, among others would be offered to establish Defendant's guilt:

On March 17, 2022, Border Patrol Agent (BPA) Rodriguez was working the primary lane at the Falfurrias Border Checkpoint, when a 2011 Mercedes c300 approached his lane for inspection. The driver, later identified as Alysia Saphyre Hunter, stated she was traveling to Dallas. There was one other passenger in the vehicle, later identified as Josue Azpeitia. When Agent Rodriguez asked Ms. Hunter for consent to search the trunk area, she appeared nervous and began to shake her head. When asked if she was fine, she acted confused. When Agent Rodriguez looked at BPA canine handler Sandoval, he was verbally signaling his hand to send the Mercedes to secondary inspection due to a canine alert.

When Agent Rodriguez instructed Ms. Hunter to proceed to secondary inspection, he observed the Mercedes continue driving north on the exit shoot past the secondary inspection area. Multiple agents were dispatched to locate the vehicle. The vehicle was located near the Brooks County Rest Area and both Ms. Hunter and Mr. Azpeitia were taken into custody.

The Mercedes was taken to secondary inspection where, again, the canine alerted to the rear of the Mercedes. A scan of the vehicle by a Z-Portal operator revealed several anomalies in the rear of the vehicle. Upon further inspection, three bundles were discovered just above the rear bumper area. The Acting Supervisory Border Patrol Agent Cosenza conducted a NCK field test, and the contents tested positive for cocaine. The total weight of the contents (bundles) was about 1.92 kilograms.

DEA Task Force Officer (TFO) Perez and Special Agent (SA) Larsen responded to the checkpoint and interviewed Ms. Hunter and Mr. Azpeitia.

The bundles found in the rear of the Mercedes were sent to the DEA South Central Laboratory for testing. Two bundles were combined, and the powder had a net weight of roughly 987 grams. The powder identified: (N-(4-Fluorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]propanamide) (p-Fluorofentanyl) and N-(4-Fluorophenyl)-1-phenethylpiperidin-4-amine(Despropionyl p-Fluorofentanyl). The third bundle contained tablets with a net weight of roughly 450.9 grams. The lab identified Xylazine, Acetaminophen, (N-(4-Fluorophenyl)-N-[1-(2-phenylethyl)-4-piperidinyl]propanamide) (p-Fluorofentanyl), N-Phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]propanamide (Fentanyl), and N-(4-Fluorophenyl)-1-phenethylpiperidin-4-amine (Despropionyl p-Fluorofentanyl).

DEA agents received information that the person responsible for the packages of fentanyl, “Ace,” had stayed in room number three at the S.D. Motel. They also received information that he possessed a Mississippi ID card. The informants could not ID Adrian Silva (“SILVA”) in a lineup, but Officer Perez contacted the motel and requested the registration information from room three on March 17, 2022. The hotel provided a photo of SILVA’s Mississippi ID card and notified the Officer that room three was registered to SILVA.

Ms. Hunter’s phone was forensically downloaded by agents. Agents reviewed the phone contents and noted on March 17, 2022, Ms. Hunter received a Cash App from M.S. for \$500. Agents believed M.S. to be the sister of Adrian Silva (“SILVA”), due to prior law enforcement interactions involving SILVA.

DEA Task Force Officer (“TFO”) Perez reviewed the extraction of Azpeitia’s cellphone. He noted messaging to number ending ##00 associated with Azael Barrientos-Regalado (“BARRIENTOS”). On March 11, 2022, Azpeitia’s calls included BARRIENTOS. On March 15, 2022, Azpeitia also received a message that, translated into English, says, “Azael told me to send you

his address." BARRIENTOS was also identified in a lineup as one of the five individuals that corresponded and agreed to transport the Fentanyl.

BARRIENTOS is judicially confessing that this incident occurred on about March 17, 2022, and that he made an agreement to transport the Fentanyl, knowing it was Fentanyl and that it was, in fact, 400 grams or more of a mixture or substance containing a detectable amount of Fentanyl.

III.

The undersigned have thoroughly reviewed, understand, and agree that the information contained in this Stipulation of Fact are true and correct.

*s/ Azael Barrientos-Regalado, signed with
permission 8-9-2024, 9:01 a.m.)*

AZAEEL BARRIENTOS
Defendant

August 28, 2024

Date

/s/ Alfred Montelongo

ALFRED MONTELONGO
Attorney for Defendant

August 28, 2024

Date

ALAMDAR S. HAMDANI
UNITED STATES ATTORNEY

By: 
LIESEL ROSCHER
Assistant United States Attorney

8/23/24

Date